IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 19409 of 2004(I)

PETITIONERS:

1. **GOPALAKRISHNAN NAIR P.K., S/O. KRISHNAN NAIR, PARAKKATTU HOUSE, THADIKADAVU P.O., CHAPPARAPPADAVU VIA., TALIPARAMBA, KANNUR DIST. CONSUMER NO.10547.**

2. **C.V.VARGHESE, S/O. VARGHESE, CHIRACKALAKATHU HOUSE, THADIKKADAVU P.O., CHAPPARAPADAVU VIA., KANNUR DIST. CONSUMER NO.10637.**

3. **K.C.RAMACHANDRAN, S/O.CHATHUKUTTY NAIR, KOOTHOOR HOUSE, THADIKADAVU P.O., CHAPPARAPPADAVU VIA., KANNUR DIST. CONSUMER NO.10552.**

4. **SABU MATHEW, S/O. P.K.MATHEW, PALANTHATTEL HOUSE, THADIKADAVU P.O., CHAPPARAPPADARU VIA., KANNUR DIST. CONSUMER NO.10732.**

5. **GOPINATHAN NAIR M.G., S/O. GOPALAKRISHNAN NAIR, MUKKILIKKATTE HOUSE, THADIKADAVU P.O., CHAPPARAPPADAVU, KANNUR DIST. CONSUMER NO.10805.**

6. **AUGUSTINE K.P., S/O. PHILIPOSE, KOCHANKEL HOUSE, THADIKKADAVU P.O., CHAPPARAPPADAVU, KANNUR DIST. CONSUMER NO.10532.**

7. **CHANDRAN K., S/O. KRISHNAN, KARIYIL HOUSE, THADIKKADAVU P.O.,CHAPPARAPPADAVU, KANNUR DIST. CONSUMER NO.10548.**

8. **T.C.SEBASTIAN, S/O. CHACKO, TEKKE MARUTHANIKKATTU, THADIKKADAVU P.O., CHAPPARAPPADAVU, KANNUR DIST. CONSUMER NO.10645.**

9. SUNNY MATHEW, S/O. MATHEW,
KALLARAKKAL, THADIKKADAVU P.O., CHAPPARAPPADAVU,
KANNUR DIST. CONSUMER NO.10701.

10. E.A.ANTONY, S/O. ANTONY,
EATHAKKATTU, THADIKKADAVU P.O., CHAPPARAPPADAVU,
KANNUR DIST. CONSUMER NO.10555.

11. C.D.JOSEPH, S/O. DEVASIA,
CHAMAKKALAYIL, THADIKKADAVU P.O.,CHAPPARAPPADAVU,
KANNUR DIST. CONSUMER NO.10551.

12. GEORGE K.A., S/O. ABRAHAM,
KUTTIKKEL, THADIKKADAVU P.O., CHAPPARAPPADAVU,
KANNUR DIST. CONSUMER NO.10653.

13. MARY CHACKO, W/O. CHACKO,
KOCHAMKEL, THADIKKADAVU P.O., CHAPPARAPPADAVU,
KANNUR DIST. CONSUMER NO.10638.

14. K.SAROJINI, D/O. CHATHUKUTTY NAIR,
KOOTHOOR HOUSE, THADIKADAVU P.O.,
CHAPPARAPPADAVU VIA., KANNUR DIST.
CONSUMER NO.10558.

15. SABU JOSE, S/O. JOSEPH,
KOCHUKUNNEL, THADIKADAVU P.O.,
CHAPPARAPPADAVU VIA., KANNUR DIST.
CONSUMER NO.10574.

16. CHATHUKUTTY NAIR, S/O. CHATHU,
CHENTHALA HOUSE, THADIKADAVU P.O.,
CHAPPARAPPADAVU, KANNUR DIST.
CONSUMER NO.10559.

17. RAMACHANDRAN NAIR T.G.,
S/O.GOPALAN NAIR, THEKKEPUTHUPARAMBIL,
THADIKKADAVU P.O., CHAPPARAPPADAVU VIA.,
KANNUR DIST. CONSUMER NO.10525.

18. RUKMINI AMMA, W/O. RAMACHANDRAN,
THEKKEPUTHUPARAMBIL, THADIKKADAVU P.O.,
CHAPPARAPPADAVU VIA., KANNUR DIST.
CONSUMER NO.10557.

19. P.K.JOSEPH, S/O. KURIAN,
PERUMANATHADATHIL, THADIKKADAVU P.O.,
CHAPPARAPPADAVU, KANNUR DIST.
CONSUMER NO.10545.

W.P.(C) NO.19409/2004

20. PADMAVATHI K.K., W/O. BALAKRISHNAN,
KAYIKEL KOROTH, THADIKKADAVU P.O.,
CHAPPARAPPADAVU VIA., KANNUR DIST.
CONSUMER NO.10535.

21. P.A.JOSEPH, S/O. ABRAHAM,
PULIKKEL, THADIKKADAVU P.O., CHAPPARAPPADAVU VIA.,
KANNUR DIST. CONSUMER NO.10554.

22. SASIDHARAN A.E., S/O. KUNJAPPAN,
KULANGARAKUZHIYIL, THADIKKADAVU P.O.,
CHAPPARAPPADAVU VIA., KANNUR DIST.
CONSUMER NO.10640.

23. PHILOMINA JAMES, W/O. JAMES,
URIMBI, THADIKADAVU P.O., CHAPPARAPPADAVU VIA.,
KANNUR DIST. CONSUMER NO.10644.

24. ABRAHAM P.O., S/O. ULAHANNAN,
PULIKKAL, THADIKKADAVU P.O., CHAPPARAPPADAVU VIA.
KANNUR DIST. CONSUMER NO.10369.

25. LAKSHMI P.P., D/O. KRISHNAN,
PUTHIYAPURAYIL, THADIKKADAVU P.O.,
CHAPPARAPPADAVU VIA., KANNUR DIST.
CONSUMER NO.10561.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:
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1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY SECRETARY, KERALA STATE ELECTRICITY
BOARD, VYDYUTHI BHAVAN, THIRUVANANTHAPURAM.

2. THE EXECUTIVE ENGINEER,
KERALA STATE ELECTRICITY BOARD,ELECTRICAL DIVISION
PAYYANNUR, KANNUR DIST.

3. THE ASSISTANT EXECUTIVE ENGINEER,
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL MAJOR SECTION, SREEKANDAPURAM,
P.O. SREEKANDAPURAM, KANNUR DISTRICT.

4. THE ASSISTANT ENGINEER,
KERALA STATE ELECTRICITY BOARD, ELECTRICAL SECTION
ALAKKODE, P.O. ALAKKODE, KANNUR DIST.

BY ADV. SRI.N.N.SUGUNAPALAN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09 / 08 /2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.19409/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE SPECIMEN OF THE MINIMUM GUARANTEE AGREEMENT IN FORM NO. 8 OF CONDITIONS OF SUPPLY OF ELECTRICAL ENERGY PREPRED BY THE KSE BOARD.

EXT.P2:- COPIES IF THE BILLS ISSUED BY THE KSE BOARD TO THE PETITIONERS.

RESPONDENTS EXHIBITS

EXT.R4(a):- COPY OF THE CLAUSE "2" OF MINIMUM GUARANTEE.

EXT.R4(b):- COPY OF THE NOTICE DT. 20.7.03.

EXT.R4(c):- COPY OF THE NEW ESTIMATE AND MINIMUM GUARANTEE AMOUNT.

/TRUE COPY/

P.A. TO JUDGE

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C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.19409 of 2004

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Dated this the 9th day of August, 2007.

JUDGMENT

Since counsel for the petitioners submitted that similar issue is decided by this court vide judgment in W.P.(C) NO.19385/2004, this W.P. is also disposed of following the said judgment and with the same findings, observations and directions as in that judgment. Judgment in W.P.(C) No.19385/2004 dated 17.7.2007 will form part of this judgment. Petitioners will produce copy of the said judgment for respondents to comply with the directions.

C.N.RAMACHANDRAN NAIR
Judge

pms